

REMARKS/ARGUMENTS

In response to the Office Action mailed December 02, 2005, Applicant elects, with traverse, Species K for initial examination. The claims which read on Species K include claims 1-39. Applicants identify claims 1, 31, 38 and 39 as generic.

The election of species requirement with regard to Species A-AE is respectfully traversed on the basis that although the designated species may be patentably distinct they are not mutually exclusive. MPEP 806.04(f) specifies that "[c]laims to be restricted to different species must be mutually exclusive." However, the species recited by the office action are not mutually exclusive. That is, no features in any of the identified figures is mutually exclusive with features in any of the other structures. Further, Applicants respectfully point out that per M.P.E.P. 809 02(a), if generic claims 1, 31, 38 and 39 are found to be allowable, then examination of all non-elected species claims will be necessary.


CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-941-9421.

It is believed that no other fees time are due with this response; however, should any fees be required under 37 C.F.R. §§ 1.16 to 1.21 for any reason, Applicant respectfully requests the Examiner to contact the undersigned at the phone number indicated below so that payment can be provided. If any further extensions of time are required, Applicant respectfully requests such extensions be granted at this time.

Respectfully submitted,


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